

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSE OLIVARES,

Plaintiff,

Case No. 21-cv-10934
Hon. Matthew F. Leitman

v.

MICHAEL F. GODOLA, *et al.*,

Defendants.

ORDER DISMISSING PLAINTIFF’S COMPLAINT (ECF No. 1)
WITHOUT PREJUDICE

On April 15, 2021, Plaintiff Jose Olivares filed this civil-rights action against the Defendants. (*See* Compl., ECF No. 1.) When Olivares filed his Complaint, he neither paid the required filing fee nor submitted an application to proceed *in forma pauperis* (“IFP”). The Court thereafter issued a deficiency notice to Olivares informing him that he had failed to pay the required fee. (*See* Dkt.) Olivares did not respond to the deficiency notice. Accordingly, on July 20, 2021, the Court issued a written order in which it directed Olivares to “either (1) pay the required filing fee or (2) file a completed and signed IFP application with the Court” by no later than August 30, 2021. (*See* Order, ECF No. 4, PageID.18.) The Court also provided Olivares a blank IFP application for his convenience. (*See id.*) The Court warned

Olivares that if he failed to comply with the Court's direction, the Court would "dismiss this action without prejudice." (*Id.*, PageID.19.)

Olivares has not responded to the Court's July 20 order. Nor has he paid the filing fee, filed a completed and signed IFP application, or contacted the Court to request additional time to comply with the Court's order. Therefore, due to Olivares' failure to comply with the Court's July 20 order and his failure to pay the required filing fee or file an application to proceed IFP, the Court **DISMISSES** this action **WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: October 18, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 18, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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